

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

This Document Relates to:

1:14-cv-12941-RWZ: Brown v. Insight Health Corp., *et al.*) MDL No. 1:13-md-2419-RWZ
1:14-cv-12978-RWZ: Bender v. Insight Health Corp., *et al.*)
1:14-cv-13496-RWZ: Neal v. Insight Health Corp., *et al.*)
1:14-cv-13507-RWZ: Buchanan v. Insight Health Corp., *et al.*)
1:14-cv-13508-RWZ: Miller v. Insight Health Corp., *et al.*)
1:14-cv-13509-RWZ: Andrews v. Insight Health Corp., *et al.*)
1:14-cv-13510-RWZ: Bishop v. Insight Health Corp., *et al.*)
1:14-cv-14542-RWZ: Gaskins v. Insight Health Corp., *et al.*)
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**JOINT MOTION FOR HEARING TO APPROVE VIRGINIA
WRONGFUL DEATH SETTLEMENTS PURSUANT TO VA. CODE § 8.01-55**

Come now the Virginia Plaintiffs in the above-listed cases (“Virginia Wrongful Death Plaintiffs”), Insight Health Corp., Insight Health Services Corp., Insight Health Services Holdings, Image Guided Pain Management, P.C., John M. Mathis, M.D., and Robert F. O’Brien, M.D. (“Virginia Defendants”), by their undersigned counsel, and, respectfully and jointly, move this Court to schedule and conduct a hearing pursuant to Va. Code § 8.01-55 to approve the settlement of each of the above-styled wrongful death actions, according to and consistent with the provisions of the “Settlement and Release Agreement” (“Agreement”) of February 12, 2015 and the incorporated “First Amended Insight Claims Resolution Facility Procedures” (“Procedures”). Such Agreement and incorporated Procedures have been approved and confirmed by Judge Boroff of the U.S. Bankruptcy Court for the District of Massachusetts in an order entered May 20, 2015 that confirmed the bankruptcy plan of New England Compounding

Pharmacy, Inc. The Virginia Wrongful Death Plaintiffs and the Virginia Defendants respectfully request a single, one-hour hearing on June 24, 2015 or June 25, 2015, subject to the Court's availability. The parties intend to file appropriate motions and proposed agreed orders as to each settlement in advance of the requested hearing.

Date: June 5, 2015

Respectfully Submitted

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CERTIFICATE OF SERVICE

I certify that, on June 5, 2015, this document was filed through the CM/ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Leo J.M. Boyd
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